

Response
Application No. 10/511,396
Attorney Docket No. 042879

REMARKS

Claims 1-17 are pending in the application and stand rejected. In light of the following remarks, Applicants earnestly solicit favorable reconsideration.

On the Merits

Claims 1-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Chondroudis et al.* (2004/0071888 A1).

Applicants submit that the *Chondroudis* reference is not prior art.

The filing date of *Chondroudis* and its provisional application are May 30, 2003 and May 30, 2002, respectively.

The present US application is entitled to a filing date of April 17, 2002, based on the international filing date of PCT/JP03/04910. Accordingly, Applicants submit that *Chondroudis* is not prior art under 35 U.S.C. §102(e) and 103(a).

In view of the aforementioned remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'D. Hubbs', is written over the firm name.

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